

MINUTES OF COUNCIL STUDY AND REGULAR MEETINGS – OCTOBER 19, 2004

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, OCTOBER 19, 2004, AT 5:00 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt
Joel Coleman
Margaret K. Peterson
Barbara Thomas
Steve Vincent

Paul Isaac, Acting City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Jim Welch, Finance Director
Russell Willardson, Public Works Director
Van Summers, Fire Chief
Kevin Astill, Parks and Recreation Director
Joseph Moore, CED Director
Richard Catten, Acting City Attorney
Tom McLachlan, Acting Chief of Police
John Janson, CED Department
Brent Garlick, CED Department
Jeff Hawker, CED Department
Craig Thomas, CED Department
Layne Morris, CED Department
Aaron Crim, Administration

1. **REVIEW AGENDA ITEMS**

Acting City Manager, Paul Isaac, stated there had been no new items added to the Agenda subsequent to the Study Meeting held October 12, 2004. Mr. Isaac inquired if there were questions regarding any of the items scheduled on the Agenda for the Regular Council Meeting to be held October 19, 2004, at 6:30 P.M.

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Item No. 9. A. – PUBLIC HEARING, APPLICATION NO. GPZ-2-2004, TYDON OLER, AMEND GENERAL PLAN FROM OFFICE OR MEDIUM DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL LAND USES, ORDINANCE NO. 04-49; AMEND ZONING MAP FROM ZONE ‘R-1-4’ AND ‘R-1-8’ TO ‘C-1’ ZONE, ORDINANCE NO. 04-50; APPROXIMATELY 4816 WEST 4100 SOUTH

In response to questions from members of the City Council, Acting City Manager, Paul Isaac, discussed Application No. GPZ-2-2004, filed by Tydon Oler, and proposed Ordinance No. 04-49 which would amend the General Plan from Office or Medium Density Residential to Neighborhood Commercial land uses; and proposed Ordinance No. 04-50 which would amend the Zoning Map from zone ‘R-1-4’ (Single-Family Residential, Minimum Lot Size 4,000 sq. ft.) and ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) to ‘C-1’ (Neighborhood Commercial) zone for property located at approximately 4816 West 4100 South. CED Director, Joseph Moore, also reviewed the application and stated the applicant did not know what specific businesses would be going in if the General Plan and zone change were approved. Mr. Moore indicated per the comments by the City Council at the previous Study Meeting, staff had looked at the subject properties and found some enforcement issues needing to be addressed. He distributed and discussed written information from the applicant that outlined reasons for the request. Mr. Moore also discussed the General Plan regarding the 4100 South area and answered additional questions from members of the City Council. Acting City Manager, Paul Isaac, stated a public hearing had been scheduled for the Council to hear and consider public comments. The City Council will hold a public hearing regarding Application No. GPZ-2-2004 and consider proposed Ordinance Nos. 04-49 and 04-50 at the Regular Council Meeting scheduled October 19, 2004, at 6:30 P.M.

2. COMMUNICATIONS:

A. CITY CENTER REDEVELOPMENT PROJECT AREA UPDATE AND DISCUSSION

CED Director, Joseph Moore, distributed written handouts and gave an overview of the information to be discussed regarding the City Center Redevelopment Project Area. Mr. Moore stated the Planning Commission would hold a public hearing regarding the City Center on November 10, 2004, at 3:00 P.M. He informed that staff had been working on the vision for the City Center area and the current draft would be distributed to the City Council after this presentation. Brent Garlick, CED Department, conducted a PowerPoint presentation and discussed the RDA process including neighborhood meetings and public hearings regarding the City Center Redevelopment Project Area. The PowerPoint presentation and discussion included the following information:

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Current Situation

- Deteriorating economic conditions (Valley Fair Mall, 3500 South commercial, declining multi-family residential area, etc.)
- Lack of significant investment in new construction or major building renovation.
- City Center area recently designated as “blighted” as defined by Utah State redevelopment statute.
- Conclusion: City Center has arrived at a point where significant private sector development is not likely without public sector involvement. Therefore, any major improvement to the City Center will require West Valley City to work closely with development partner(s) and to provide public sector incentives.

Future

- City Center Vision Plan – this plan outlines a future whereby approximately 150 acres is developed into a vibrant commercial center and a dynamic mixed-use, transit-oriented, civic, retail, entertainment, educational, medical, office and residential district.
- Map showing transportation, land uses and development types.

Current Public Sector Involvement

- Designated City Center as redevelopment area, TIF (Tax Increment Financing) incentive available.
- Completing EIS (Environmental Impact Study) for transit corridor (\$1.5 million).
- Completing EA (Environmental Assessment) for transit center (\$300,000).
- Securing funding from UTA (Utah Transit Authority) (\$400,000+).
- Actively recruiting development partners and selling them on City Center opportunities.

Land Acquisition Strategy

- City gains ownership of key developable properties:
 - I. Allows the City to “write down” development costs to a point where residential and commercial development is viable.
 - II. Provides the City with needed leverage to encourage immediate development and to insure that development is the type and quality desired.

Land Acquisition & Overview of Phases I, II & III

- Phase I Residential Mixed Use

Current assessed value (10.8 acres)	\$ 7,018,000
What developer pays for land (\$100,000 per acre, per Pro Forma)	<u>1,080,000</u>
Funds needed for land	\$ 5,938,000

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|--------------------|--------------|
| Total project cost | \$44,000,000 |
|--------------------|--------------|
- Potential Funding Sources

City General Fund	0
City Center TIF	0
RDA Housing Fund	0
Other RDA Funding	0
UTA / FTA (2004)	\$ 400,000
UTA / FTA (2005-2008)	\$ 1,500,000
HUD 108 Loan (2004)	\$ 2,300,000
CDBG	\$ 300,000/yr.
- \$200,000 to service 108 Loan (20 yrs.)	
- \$100,000 land acquisition (2005-2008)	
HOME Funds (2004)	\$ 500,000
HOME Funds (2005-2008)	\$ 1,200,000
HOME Funds (supplemental)	\$ 1,000,000
 - Potential Acquisition Opportunities
 - Impacts on Current Funding Priorities
 - Expenditures for Road Home Fund are (2005-2008) transferred to local “homeless” transitional housing and/or low- or moderate-income housing projects.
 - Limited funding for CDBG public facilities and improvements (2005-2008) / \$250,000 annually.
 - HUD 108 Loan reserve would be used up – nothing left for future needs (CDBG funded public services will continue to be funded).
 - Return on Investment
 - Phase I could commence within two years.
 - Phase I residential mixed-use fully developed creates an annual TIF potential of \$545,000.
 - Phase I commercial creates a sizable annual TIF to assist in quality project development.
 - Phase I is essential for broader City Center redevelopment to begin as it becomes the cornerstone for neighborhood revitalization; increases property values (area-wide); increases sales tax collections; and sends powerful commitment message to UTA / FTA.

Funding Request

- Aggressively pursue UTA / FTA funds for development of the Intermodal Center.
- Allocate the remaining \$2,300,000 of HUD 108 loan funds for City Center land acquisition.
- Allocate \$300,000 of annual CDBG funds to service HUD 108 loan and for additional land acquisition (\$200,000 for 15 yrs., \$100,000 for 4 yrs.).

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- Allocate HOME funds received by City for the next 4 years into land acquisition activities.
- Actively identify and solicit additional funds.

Action Request

- Begin Phase I land acquisition immediately.
- Pursue Phase I land acquisition in a substantial way.

The City Council discussed and commented regarding the above information. Members of the Council indicated during the public hearing residents had been told the City would not purchase properties but developers might be interested in doing so. Some members of the Council indicated funding sources such as CDBG might not be funded at the same level each year. Concerns were also expressed regarding the amount of future obligations and payments for the proposal. Clarification was requested regarding allowed uses for HOME funds. Members of the Council inquired if private developers had been given an opportunity to participate and/or partner prior to the City's involvement. Members of the Council indicated successful projects had both public and private partnership and participation. Some members of the Council expressed concern regarding the quality of housing and types of uses in mixed use areas. Concern was also expressed this proposal could be viewed by some property owners as a "land grab" by the City.

Acting City Manager, Paul Isaac, CED Director, Joseph Moore, and Brent Garlick, CED Department, answered questions from members of the City Council during the above presentation and discussion. Mr. Isaac inquired if the City Council felt comfortable with staff pursuing the proposal as discussed in the above presentation. Mr. Isaac stated issues would be presented to the City Council for consideration and approval during the process. Upon further discussion, the City Council expressed a consensus for support to move forward with the proposal and requested staff to communicate with the property owners during the process. CED Director, Joseph Moore, distributed copies of the City Center Vision Statement for City Council study and review.

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, OCTOBER 19, 2004, WAS ADJOURNED AT 6:33 P.M., BY MAYOR NORDFELT.

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, OCTOBER 19, 2004, AT 6:38 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD. WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt
Joel Coleman
Margaret K. Peterson
Barbara Thomas
Steve Vincent

Paul Isaac, Acting City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Joseph Moore, CED Director
Jim Welch, Finance Director
Kevin Astill, Parks and Recreation Director
Russell Willardson, Public Works Director
Van Summers, Fire Chief
Richard Catten, Acting City Attorney
Tom McLachlan, Acting Chief of Police
Aaron Crim, Administration

11953 **OPENING CEREMONY**

The Opening Ceremony was conducted by Russ Brooks who commented regarding a flag ceremony he viewed at a conference attended recently. Mr. Brooks then led the Pledge of Allegiance to the Flag.

11954 **SCOUTS**

Mayor Nordfelt welcomed Scout Troop Nos. 852, 96, 1675 and 844 in attendance to complete requirements of the Citizenship in the Community and Communications merit badges.

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11955 **APPROVAL OF MINUTES OF STUDY AND REGULAR MEETINGS HELD OCTOBER 5, 2004**

The Council read and considered the Minutes of the Study and Regular Meetings held October 5, 2004. There were no changes corrections or deletions. After discussion, Councilmember Coleman moved to approve the Minutes of the Study and Regular Meetings held October 5, 2004, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Ms. Thomas	Yes
Mayor Nordfelt	Yes

Unanimous.

11956 **COMMENT PERIOD**

Upon inquiry by Mayor Nordfelt, there was no one who desired to speak during the comment period.

11957 **INTRODUCTION OF NEW EMPLOYEES**

Aimee Tye, Human Resources Division of Administration, introduced the following new employees to the City Council: Community Development Department: Richard Bradford, Economic Development Specialist; Ricardo Ramos, Ordinance Enforcement Officer; Fire Department: Adam Archuleta, Firefighter; Scott Byrne, Firefighter/Paramedic; Robin Jacks, Fire Secretary; Justice Court: Jaime Wilson, Justice Court Clerk; Police Department: Robert Bobrowski, Jesse Cordova, Shaun Cowley, Ricardo Franco, James Gaskell, Darin Hoover, Steven Katz, William Paul Labounty, Stuart Palmer, Christopher Wells, Carl Wimmer, Police Officers, and Troy Kipp Crime Scene Tech; Law Department: Alissa Black, David Hoenshell, Victim Advocate; Rachelle Hill, Victim Advocate Coordinator; Brenda Pratt, Secretary. The City Council welcomed the new employees to employment with West Valley City.

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11958 ALEESHIA STAUFFER, POLICE DEPARTMENT – EMPLOYEE OF THE MONTH, OCTOBER, 2004

Mayor Nordfelt read the nomination for Aleeshia Stauffer as Employee of the Month for October 2004. The City Council congratulated and expressed appreciation to Ms. Stauffer for a job well done on behalf of West Valley City.

11959 PUBLIC HEARING, APPLICATION NO. GPZ-2-2004, TYDON OLER, AMEND GENERAL PLAN FROM OFFICE OR MEDIUM DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL LAND USES, ORDINANCE NO. 04-49; AMEND ZONING MAP FROM ZONE ‘R-1-4’ AND ‘R-1-8’ TO ‘C-1’ ZONE, ORDINANCE NO. 04-50, APPROXIMATELY 4816 WEST 4100 SOUTH

Acting City Manager, Paul Isaac, presented Application No. GPZ-2-2004, filed by Tydon Older, and proposed Ordinance No. 04-49 which would amend the General Plan from Office or Medium Density Residential to Neighborhood Commercial land uses and proposed Ordinance No. 04-50 which would amend the Zoning Map from zone ‘R-1-4’ (Single-Family Residential, Minimum Lot Size 4,000 sq. ft.) and ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) to ‘C-1’ (Neighborhood Commercial) zone for property located at approximately 4816 West 4100 South. Mr. Isaac stated the proposal included three parcels totaling 1.42 acres. He indicated the applicant had requested a re-zone for one of the three parcels from ‘R-1-4’ and ‘R-1-8’ to ‘C-1’. He indicated all three parcels had single-family homes on them. The ‘C-1’ zone had a maximum district size of seven acres. If the re-zone request was approved, the ‘C-1’ district at the subject intersection would be approximately 8.6 acres in size. He reported, however, the applicant recently received approval for a variance to the maximum ‘C-1’ district size to allow the district size to be increased to include the subject parcel proposed for re-zoning. Acting City Manager, Paul Isaac, stated a public hearing had been scheduled for the Council to hear and consider public comments.

Mayor Nordfelt opened the public hearing.

Mr. Charles Sipes, 4171 Bluejay Street, addressed the City Council. Mr. Sipes stated he was concerned regarding what had been proposed and that notification of neighbors should take place prior to approval of any site plans. He indicated he lived near the property and the proposed plan might be useful to the neighborhood, but there were two areas of open space awaiting development. Mr. Sipes indicated multi-family units might be appropriate.

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Mr. Tydon Oler, 4816 West 4100 South, applicant, addressed the City Council. Mr. Oler referred to written information previously distributed to the City Council stating the reasons for the request for the change of zone. He indicated he had communicated with the adjacent neighbors and was amiable to their request for a cement wall inside the lot line so they could keep their vinyl fence at the existing height and extended to the edge of their property. Councilmember Burt inquired regarding access to the property and Mr. Oler responded access would be from both 4100 South and 4800 West. He indicated he was in negotiations with the credit union as they would like to see improvements to the area, but there might be some issues regarding parking that would need to be resolved and could affect access to the credit union off 4800 West. He further discussed adjacent parcels in the subject area and stated there were numerous investors and businesses who desired to build on the corner. Councilmember Peterson stated even though the public hearing pertained only to the General Plan and zone change, she desired to hear more regarding specific plans for the property. Mr. Oler stated he had previously presented a layout of a site plan to the Planning Commission, but it did not include a specific business or businesses. He indicated the plan depicted a neighborhood commercial retail center. Mr. Oler stated he would pre-lease the property over a period of four to six months prior to the beginning of the building approval during the conditional use process. Councilmember Peterson expressed concerns regarding the quality of some strip developments. Mr. Oler indicated the quality of his development would be the selling point and he was in the project to make money with long term, national tenants. He stated he had met with architects and builders, but had not made any final decisions as yet. Mr. Oler assured he desired to see a very successful development from the subject proposal.

Mr. William Hickock, 3857 West Cottagebrook Circle, addressed the City Council. Mr. Hickock stated the applicant had met with neighboring property owners and answered all of their questions. He stated he believed Mr. Oler desired a high quality development. He also stated he believed Mr. Oler was agreeable and would cooperate with requests regarding the fence as stated earlier in this public hearing. He indicated no other residents of Cottages at Westbrook seemed to have any concerns or complaints regarding the proposal.

Mr. Jeff Hall, owner of the property on 4068 South 4800 West, addressed the City Council. Mr. Hall stated he was in favor of the proposal as the area was in need of a “face lift” and it would better suit the subject corner. He indicated the area needed to be cleaned up and older, run down homes would be torn down to make way for a more suitable development for the area. He stated some homes were vacant and in much disrepair.

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There being no one else to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing. (Refer to Item Nos. 11960 & 11961)

11960 ORDINANCE NO. 04-49, APPLICATION NO. GPZ-2-2004, TYDON OLER, AMEND GENERAL PLAN FROM OFFICE OR MEDIUM DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL LAND USES, APPROXIMATELY 4816 WEST 4100 SOUTH

The City Council previously held a public hearing regarding Application No. GPZ-2-2004, filed by Tydon Oler, and proposed Ordinance No. 04-49 which would amend the General Plan from Office or Medium Density Residential to Neighborhood Commercial land uses for property located at approximately 4816 West 4100 South. After discussion, Councilmember Brooks moved to approve Ordinance No. 04-49, An Ordinance Amending The General Plan To Show A Change Of Land Use From Office Or Medium Density Residential Land Uses To Neighborhood Commercial Land Uses For Properties Located At Approximately 4816 West 4100 South. Councilmember Coleman seconded the motion. (Refer to Item Nos. 11959 & 11961)

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Ms. Thomas	No
Mayor Nordfelt	Yes

Majority.

11961 ORDINANCE NO. 04-50, APPLICATION NO. GPZ-2-2004, TYDON OLER, AMEND ZONING MAP FROM ZONE ‘R-1-4’ AND ‘R-1-8’ TO ‘C-1’ ZONE, APPROXIMATELY 4816 WEST 4100 SOUTH

The City Council previously held a public hearing regarding Application No. GPZ-2-2004, filed by Tydon Oler, and proposed Ordinance No. 04-50 which would amend the Zoning Map from zone ‘R-1-4’ and ‘R-1-8’ to ‘C-1’ zone for property located at approximately 4816 West 4100 South. After discussion, Councilmember Brooks moved to approve Ordinance No. 04-50, An Ordinance Amending The Zoning Map To Show A Change Of Zone For Properties Located At Approximately 4816 West 4100 South From Zone ‘R-1-4’ And ‘R-1-8’ To ‘C-

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1' Zone. Councilmember Coleman seconded the motion. (Refer to Item Nos. 11959 & 11960)

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Ms. Thomas	No
Mayor Nordfelt	Yes

Unanimous.

11962

ORDINANCE NO. 04-51, AMEND SECTION 1-2-102 OF THE CONSOLIDATED FEE SCHEDULE TO INCLUDE FEES FOR RENTAL OF FACILITIES AT THE UTAH CULTURAL CELEBRATION CENTER AT THE RIVERFRONT

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 04-51 which would amend Section 1-2-102 of the Consolidated Fee Schedule to include fees for rental of facilities at the Utah Cultural Celebration Center at the Riverfront. Mr. Isaac stated the Utah Cultural Celebration Center (UCCC) had been in operation for about eight months under the old fee schedule approved by the City Council in December of 2003. He indicated since that time construction had been completed of many new downstairs meeting rooms and rental fees were below the market rates. He indicated an adjustment of those rates would be needed in order to cover operating costs at the Center. He further indicated the increase would not have a negative impact on attraction of events to the Center. Mr. Isaac stated office space would continue to be rented out on a contractual basis and was not included in the fee schedule rates. Upon discussion, members of the City Council commented the UCCC was a great facility and the employees working there were doing a wonderful job. After further discussion, Councilmember Peterson moved to approve Ordinance No. 04-51, An Ordinance Amending Section 1-2-102 Of The Consolidated Fee Schedule To Include Fees For Rental Of Facilities At The Utah Cultural Celebration Center At The Riverfront. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
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Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Ms. Thomas	Yes
Mayor Nordfelt	Yes

Unanimous.

11963

RESOLUTION NO. 04-172, AUTHORIZE CREATION OF THE GRANGER CROSSING BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD, AND CLARIFY THE DATE FOR THE BEGINNING OF THE ANNUAL ASSESSMENT

Acting City Manager, Paul Isaac, presented proposed Resolution No. 04-172 which would authorize creation of the Granger Crossing Business Improvement District (BID) Advisory Board and clarify the date for the beginning of the annual assessment. Mr. Isaac stated members of the current board of directors of the Granger Crossings, LLC suggested the Council appoint seven citizen members to serve on the advisory board. The BID would be funded by a \$100.000 per business assessment (114 businesses between I-215 and Redwood Road along both sides of 3500 South). He indicated the BID advisory board would make recommendations to the City Council regarding actions with respect to the expenditure of District funds. The Acting City Manager reported the LLC had attempted to function as a strictly volunteer organization by asking for donations from businesses in order to fund its promotional events, business improvement and beautification projects. Attempts to fund marketing programs with donations had largely failed. As a result, about one year ago the LLC board asked the City Council to create an assessment district modeled after the other approximately 5,000 Business Improvement Districts throughout the United States. He stated on October 21, 2003, the City Council created the district. The LLC chose to not ask the City to bill the businesses for the \$100.00 per business assessment until a program of work and leadership plan could be assembled. The LLC was now ready to make its next move and form the officially recognized advisory board and to proceed with billing businesses within the District boundaries and to carry out its work plan. Bills for the assessment had been mailed September 27, 2004, by the City Treasurer's Office and the assessment due date had been set for October 27, 2004. After discussion, Councilmember Coleman moved to approve Resolution No. 04-172, A Resolution Authorizing The Creation Of The Granger Crossing Business Improvement District Advisory Board And Clarifying The Date For The Beginning Of The Annual Assessment. Councilmember Burt seconded the motion.

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A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Ms. Thomas	Yes
Mayor Nordfelt	Yes

Unanimous.

11964

RESOLUTION NO. 04-173, APPROVE AGREEMENT SUPPLEMENT TO PECK STRIPING TO EXTEND THE STRIPING CONTRACT

Acting City Manager, Paul Isaac, presented proposed Resolution No. 04-173 which would approve an agreement supplement to Peck Striping in the amount of \$52,832.15 to extend a striping contract. Mr. Isaac stated Peck Striping had been awarded a contract for striping in 2001 and the agreement allowed the option of extending the contract in one year increments over a three year period from the date of the original contract. He further stated the contract period terminated each October and the contractor could renegotiate the contract with the City Engineer. He reported the contract had expired on October 1, 2004. He further reported the past year Peck Striping had performed satisfactorily and it would be in the City's best interest to extend the contract for another year. He indicated construction consisted of applying pavement markings on City streets per MUTCD standards. Pavement markings included striping, crosswalks, symbols, school zones and railroad crossings, and other markings as directed. After discussion, Councilmember Coleman moved to approve Resolution No 04-173, A Resolution Approving An Agreement Supplement To Peck Striping To Extend The Striping Contract. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Ms. Thomas	Yes
Mayor Nordfelt	Yes

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Unanimous.

11965

RESOLUTION NO. 04-174, AWARD BID AND CONTRACT TO KAY GENERAL CONTRACTING, INC. FOR CONSTRUCTION OF PUBLIC WORKS SANITATION CART STORAGE BUILDING

Acting City Manager, Paul Isaac, presented proposed Resolution No. 04-174 which would award a bid and authorize a contract to Kay General Contracting, Inc. in the amount of \$123,000.00 for construction of a Public Works sanitation cart storage building. Mr. Isaac stated Kay General Contracting, Inc. had been the lowest responsible bidder on the project. He also stated the project had been designed by PG&E Architects, the same architect that designed the City Shops building. He reported sanitation carts were currently stored and assembled outdoors in the summer heat and the cold wet winter conditions. Wheels, axles, wheel caps, lids and containers were currently spread throughout the yard as well as in the Fleet Maintenance facility. Assembly took place outdoors after parts were gathered together in a central location. Water and snow filled lids and container rims currently stored outdoors and lids were damaged from the inability to properly stack and store them. Wheels, axles and wheel caps were delivered in cardboard boxes which had to be kept indoors. Employees assembling cans became overheated and/or wet and cold working outdoors. Unloading deliveries was particularly difficult and unsafe in the wet or icy conditions. Delivery trucks would be backed into the new facility providing a safe, dry working environment. Mr. Isaac explained the new proposed building would provide a safe, organized, and dry environment for assembly and storage of 1,200 to 1,600 containers. He indicated in today's market, constructing a 2,400 square foot concrete tilt-up and steel frame building, \$49.50 per square foot was very reasonable despite the increased cost of steel and concrete. After discussion, Councilmember Burt moved to approve Resolution No. 04-174, A Resolution Awarding A Contract To Kay General Contracting, Inc. And Authorizing The Execution Of A Contract. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Ms. Thomas	Yes
Mayor Nordfelt	Yes

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Unanimous.

11966

RESOLUTION NO. 04-175, AUTHORIZE THE CITY TO ACQUIRE, BY NEGOTIATION OR CONDEMNATION, REAL PROPERTY LOCATED AT APPROXIMATELY 6776 WEST PARKWAY BOULEVARD IN WEST VALLEY CITY

Acting City Manager, Paul Isaac, presented proposed Resolution No. 04-175 which would authorize the City to acquire, by negotiation or condemnation, real property located at approximately 6776 West Parkway Boulevard in West Valley City. Mr. Isaac stated the City had been negotiating the purchase of 9.304 acres of the 2.763 acres owned by Elayne S. Williams and Jay Dee Williams (sister and brother). He further stated that in February of 2004, Elayne S. Williams signed a Right-of-Way Agreement, Warranty Deed and Right-of Entry Agreement for the purchase of the property. He indicated Mr. Williams, who lived in Colorado, had signed a Right-of Entry Agreement in June of 2004, to allow construction of the 6800 West detention basin outfall project. However, Mr. Williams had been unwilling to sign the other documents necessary to complete the sale citing issues with his sister and concern over future development possibilities for the property. He explained there were also title and mortgage issues that still needed to be resolved. Mr. Isaac stated, at present it appeared condemnation might be necessary to complete the acquisition and the proposed resolution would authorize condemnation if needed. Mr. Isaac indicated the Williams property was one of three properties from which property would be purchased for the 6800 West detention basin outfall project. Storm water from the south side of Parkway Boulevard would flow under the road and through a new concrete culvert and ditch along the east side of the Wilkin property in the location of an existing ditch. Water would then flow to a pond on the north end of the Wilkin, Williams and Taylor properties and on to other ponds in the area. After discussion, Councilmember Thomas moved to approve Resolution No. 04-175, A Resolution Authorizing The City To Acquire, By Negotiation Or Condemnation, Real Property Located At Approximately 6776 West Parkway Boulevard In West Valley City. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes

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Ms. Thomas	Yes
Mayor Nordfelt	Yes

Unanimous.

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RESOLUTION NO. 04-176, AUTHORIZE THE CITY TO ACQUIRE, BY NEGOTIATION OR CONDEMNATION, REAL PROPERTY LOCATED AT APPROXIMATELY 2720 SOUTH 6750 WEST IN WEST VALLEY CITY

Acting City Manager, Paul Isaac, presented proposed Resolution No. 04-176 which would authorize the City to acquire, by negotiation or condemnation, real property located at approximately 2720 South 6750 West in West Valley City. Mr. Isaac stated the City had negotiated the purchase of 3,480 square feet 1.28 acres owned by Edward S. Taylor and Ireta M. Taylor. He also stated the price of \$4,700.00 for the acquisition had been negotiated based upon an appraisal of \$3,300.00. He indicated on March 25, 2004, Mr. and Mrs. Taylor had signed a Right-of-Way Agreement, Warranty Deed and Right-of-Entry Agreement for the purchase of the subject property. Due to mortgage, title and bankruptcy issues the City had been unable to obtain partial reconveyances needed to complete and record the transaction. At present, it appeared condemnation might be necessary to complete the acquisition and let the Court determine the disbursement of monies. The Acting City Manager stated the proposed resolution had been requested to authorize condemnation if needed. He reported the Taylor property was one of the properties from which property would be purchased for the 6800 West detention basin outfall project. Storm water from the south side of Parkway Boulevard would flow under the road and through a new concrete culvert and ditch along the east side of the Wilkin property in the location of an existing ditch. He advised water would then flow to a pond on the north end of the Wilkin, Williams and Taylor properties and on to other ponds in the area. After discussion, Councilmember Peterson moved to approve Resolution No. 04-176, A Resolution Authorizing The City To Acquire, By Negotiation Or Condemnation, Real Property Located At Approximately 2720 South 6750 West In West Valley City. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes

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Ms. Thomas	Yes
Mayor Nordfelt	Yes

Unanimous.

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CONSENT AGENDA:

A. RESOLUTION NO. 04-177, ACCEPT PUBLIC SIDEWALK AND LIGHTING EASEMENT FROM UT NGUYEN AND THUY TRAN FOR PROPERTY LOCATED AT 1824 WEST 3500 SOUTH

Acting City Manager, Paul Isaac, presented proposed Resolution No. 04-177 which would accept a Public Sidewalk and Lighting Easement from Ut Nguyen and Thuy Tran for property located at 1824 West 3500 South. Mr. Isaac stated the proposed easement would be for the new Saigon Plaza Phase 2 development located within the 3500 South Overlay Zone. He indicated that zone required wider park strips, sidewalks and sidewalk lighting along the street frontage. He advised as the proposed sidewalk and lighting fell outside the public right-of-way on private property, a public sidewalk and lighting easement would be required as a condition of approval.

B. RESOLUTION NO. 04-178, ACCEPT WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM WILLIAM CLYDE BROCK AND NORMA ANN BROCK FOR PROPERTY LOCATED AT 3444 SOUTH 3200 WEST, 3200 WEST PEDESTRIAN PROJECT

Acting City Manager, Paul Isaac, presented proposed Resolution No. 04-178 which would accept a Warranty Deed and Grant of Temporary Construction Easement from William Clyde Brock and Norma Ann Brock for property located at 3444 South 3200 West regarding the 3200 West Pedestrian Project. Mr. Isaac stated William Clyde Brock and Norma Ann Brock had signed the Warranty Deed and Grant of Temporary Construction Easement. He also stated the subject parcel was one of the properties affected by the reconstruction of 3200 West from 3400 South to 3470 South. He indicated the owner had agreed to donate a portion of right-of-way by Warranty Deed which would eliminate his need to pay taxes on that portion of the roadway. The Grant of Temporary Construction Easement would allow the contractor to make the necessary tie-ins to the property and would automatically expire on December 31, 2004.

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C. RESOLUTION NO. 04-179, APPROVE RIGHT-OF-WAY AGREEMENT WITH WILLIAM CLYDE BROCK AND NORMA ANN WADE BROCK FOR PROPERTY LOCATED AT 3444 SOUTH 3200 WEST, AND ACCEPT WARRANTY DEED, PUBLIC SIDEWALK EASEMENT AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT, 3200 WEST PEDESTRIAN PROJECT

Acting City Manager, Paul Isaac, presented proposed Resolution No. 04-179 which would approve a Right-of-Way Agreement with William Clyde Brock and Norma Ann Wade Brock for property located at 3444 South 3200 West, and accept a Warranty Deed, Public Sidewalk Easement and Grant of Temporary Construction Easement regarding the 3200 West Pedestrian Project. Mr. Isaac stated the owners had signed the Right-of-Way Agreement, Warranty Deed, Public Sidewalk Easement, and Grant of Temporary Construction Easement. He also stated the subject parcel was one of the properties affected by the construction of the project from 3400 South to 3470 South. He indicated total compensation for purchase of the right-of-way would be in the amount of \$2,300.00 determined by an agreement with the City and William Clyde Brock and Norma Ann Wade Brock.

After discussion, Councilmember Coleman moved to approve Resolution Nos. 04-177, 04-178 and 04-179 as presented on the Consent Agenda. Councilmember Thomas seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Ms. Thomas	Yes
Mayor Nordfelt	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, OCTOBER 19, 2004, WAS ADJOURNED AT 7:30 P.M., BY MAYOR NORDFELT.

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I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the West Valley City Council Study and Regular Meetings held Tuesday, October 19, 2004.

Sheri McKendrick, CMC
City Recorder